

NO. 26028

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

CLINT KELAI KALAOLA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD TRAFFIC NOS. 93491761 and 93461249)

ORDER GRANTING DEFENDANT-APPELLANT'S
MOTION FOR DISMISSAL OF APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Defendant-Appellant Clint Kelai Kalaola's motion for dismissal of appeal, the papers in support, and the records and files herein, it appears that: (1) Appellant is appealing from the July 18, 2003 order denying his motion to withdraw a no contest plea; (2) in his signed declaration, Appellant states that he discussed the matter with his attorney and he understands the consequences of dismissal; and (3) Appellant states that he knowingly and voluntarily seeks dismissal of the appeal. Therefore,

IT IS HEREBY ORDERED that Defendant-Appellant's motion for dismissal of his appeal is granted, and this appeal is dismissed pursuant to HRAP Rule 42(c).

DATED: Honolulu, Hawai'i, January 8, 2004.

Howard K. K. Luke
for defendant-
appellant on the
motion